

required by this subpart you must submit the results of the performance tests required by this subpart to EPA's WebFIRE database by using the Compliance and Emissions Data Reporting Interface (CEDRI) that is accessed through EPA's Central Data Exchange (CDX)([www.epa.gov/cdx](http://www.epa.gov/cdx)). Performance test data must be submitted in the file format generated through use of EPA's Electronic Reporting Tool (ERT) (see <http://www.epa.gov/ttn/chief/ert/index.html>). Only data collected using test methods on the ERT Web site are subject to this requirement for submitting reports electronically to WebFIRE. Owners or operators who claim that some of the information being submitted for performance tests is confidential business information (CBI) must submit a complete ERT file including information claimed to be CBI on a compact disk or other commonly used electronic storage media (including, but not limited to, flash drives) to EPA. The electronic media must be clearly marked as CBI and mailed to U.S. EPA/OAPQS/CORE CBI Office, Attention: WebFIRE Administrator, MD C404-02, 4930 Old Page Rd., Durham, NC 27703. The same ERT file with the CBI omitted must be submitted to EPA via CDX as described earlier in this paragraph. At the discretion of the delegated authority, you must also submit these reports, including the confidential business information, to the delegated authority in the format specified by the delegated authority.

(2) All reports required by this subpart not subject to the requirements in paragraph (g)(1) of this section must be sent to the Administrator at the appropriate address listed in § 63.13. The Administrator or the delegated authority may request a report in any form suitable for the specific case (e.g., by commonly used electronic media such as Excel spreadsheet, on CD or hard copy). The Administrator retains the right to require submittal of reports subject to paragraph (g)(1) of this section in paper format.

[64 FR 32648, June 17, 1999, as amended at 66 FR 34558, June 29, 2001; 77 FR 49596, Aug. 16, 2012]

#### **§ 63.1286 Implementation and enforcement.**

(a) This subpart can be implemented and enforced by the U.S. EPA, or a delegated authority such as the applicable State, local, or Tribal agency. If the U.S. EPA Administrator has delegated authority to a State, local, or Tribal agency, then that agency, in addition to the U.S. EPA, has the authority to implement and enforce this subpart. Contact the applicable U.S. EPA Regional Office to find out if this subpart is delegated to a State, local, or Tribal agency.

(b) In delegating implementation and enforcement authority of this subpart to a State, local, or Tribal agency under subpart E of this part, the authorities contained in paragraph (c) of this section are retained by the Administrator of U.S. EPA and cannot be transferred to the State, local, or Tribal agency.

(c) The authorities that cannot be delegated to State, local, or Tribal agencies are as specified in paragraphs (c)(1) through (4) of this section.

(1) Approval of alternatives to the requirements in §§ 63.1270, 63.1274 through 63.1275, 63.1281, and 63.1287.

(2) Approval of major alternatives to test methods under § 63.7(e)(2)(ii) and (f), as defined in § 63.90, and as required in this subpart.

(3) Approval of major alternatives to monitoring under § 63.8(f), as defined in § 63.90, and as required in this subpart.

(4) Approval of major alternatives to recordkeeping and reporting under § 63.10(f), as defined in § 63.90, and as required in this subpart.

[68 FR 37357, June 23, 2003]

#### **§ 63.1287 Alternative means of emission limitation.**

(a) If, in the judgment of the Administrator, an alternative means of emission limitation will achieve a reduction in HAP emissions at least equivalent to the reduction in HAP emissions from that source achieved under the applicable requirements in §§ 63.1274 through 63.1281, the Administrator will publish a notice in the FEDERAL REGISTER permitting the use of the alternative means for purposes of compliance with that requirement. The notice

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may condition the permission on requirements related to the operation and maintenance of the alternative means.

(b) Any notice under paragraph (a) of this section shall be published only after public notice and an opportunity for a hearing.

(c) Any person seeking permission to use an alternative means of compliance under this section shall collect, verify, and submit to the Administrator information showing that this means achieves equivalent emission reductions.

[64 FR 32648, June 17, 1999, as amended at 77 FR 49597, Aug. 16, 2012]

**§§ 63.1288–63.1289 [Reserved]**

**APPENDIX: TABLE 1 TO SUBPART HHH OF PART 63—LIST OF HAZARDOUS AIR POLLUTANTS (HAP) FOR SUBPART HHH**

CAS Number <sup>a</sup>	Chemical name
75070 .....	Acetaldehyde
71432 .....	Benzene (includes benzene in gasoline)
75150 .....	Carbon disulfide
463581 .....	Carbonyl sulfide
100414 .....	Ethyl benzene
107211 .....	Ethylene glycol
75050 .....	Acetaldehyde
50000 .....	Formaldehyde
110543 .....	n-Hexane
91203 .....	Naphthalene
108883 .....	Toluene
540841 .....	2,2,4-Trimethylpentane
1330207 ....	Xylenes (isomers and mixture)
95476 .....	o-Xylene
108383 .....	m-Xylene
106423 .....	p-Xylene

<sup>a</sup> CAS numbers refer to the Chemical Abstracts Services registry number assigned to specific compounds, isomers, or mixtures of compounds.

**APPENDIX: TABLE 2 TO SUBPART HHH OF PART 63—APPLICABILITY OF 40 CFR PART 63 GENERAL PROVISIONS TO SUBPART HHH**

General provisions reference	Applicable to subpart HHH	Explanation
§ 63.1(a)(1) .....	Yes.	
§ 63.1(a)(2) .....	Yes.	
§ 63.1(a)(3) .....	Yes.	
§ 63.1(a)(4) .....	Yes.	
§ 63.1(a)(5) .....	No .....	Section reserved.
§ 63.1(a)(6) through (a)(8) .....	Yes.	
§ 63.1(a)(9) .....	No .....	Section reserved.
§ 63.1(a)(10) .....	Yes.	
§ 63.1(a)(11) .....	Yes.	
§ 63.1(a)(12) .....	Yes.	
§ 63.1(b)(1) .....	No .....	Subpart HHH specifies applicability.
§ 63.1(b)(2) .....	Yes.	
§ 63.1(b)(3) .....	No.	
§ 63.1(c)(1) .....	No .....	Subpart HHH specifies applicability.
§ 63.1(c)(2) .....	No.	
§ 63.1(c)(3) .....	No .....	Section reserved.
§ 63.1(c)(4) .....	Yes.	
§ 63.1(c)(5) .....	Yes.	
§ 63.1(d) .....	No .....	Section reserved.
§ 63.1(e) .....	Yes.	
§ 63.2 .....	Yes .....	Except definition of major source is unique for this source category and there are additional definitions in subpart HHH.
§ 63.3(a) through (c) .....	Yes.	
§ 63.4(a)(1) .....	Yes.	
§ 63.4(a)(2) .....	Yes.	
§ 63.4(a)(3) .....	No .....	Section reserved.
§ 63.4(a)(4) .....	No .....	Section reserved.
§ 63.4(a)(5) .....	No .....	Section reserved.
§ 63.4(b) .....	Yes.	
§ 63.4(c) .....	Yes.	
§ 63.5(a)(1) .....	Yes.	
§ 63.5(a)(2) .....	No .....	Preconstruction review required only for major sources that commence construction after promulgation of the standard.
§ 63.5(b)(1) .....	Yes.	
§ 63.5(b)(2) .....	No .....	Section reserved.
§ 63.5(b)(3) .....	Yes.	
§ 63.5(b)(4) .....	Yes.	